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Dated: March 13, 2003

Signature:

Ronnie Webb
(Ronnie Webb)

Docket No.: HO-P01899US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Huda Y. Zoghbi, et al.

Application No.: 09/980,381

Filed: June 1, 2000

For: COMPOSITIONS AND METHODS FOR
THE THERAPEUTIC USE OF AN ATONAL-
ASSOCIATED SEQUENCE FOR
DEAFNESS, OSTEOARTHRITIS AND
ABNORMAL CELL PROLIFERATION

Group Art Unit: N/A

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

A copy of each reference on PTO/SB/08 is attached.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other

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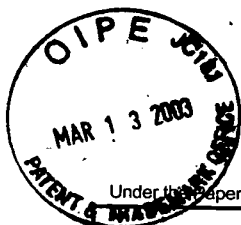
material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P01899US3.

Dated: March 13, 2003

Respectfully submitted,

By Melissa L. Sistrunk
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PTO/SB/08A (10-01)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number 09/980,381
Filing Date June 1, 2000
First Named Inventor Huda Y. Zoghbi
Art Unit N/A
Examiner Name Not Yet Assigned
Attorney Docket Number HO-P01899US3

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	5,929,041-	07-27-1999	Magal	
	AB	5,837,681-	11-17-1998	Magal	
	AC	5,792,751-	08-11-1998	Ledley et al.	
	AD	5,770,580-	06-23-1998	Ledley et al.	

FOREIGN PATENT DOCUMENTS

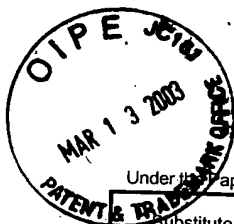
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	EP-0 613 945-B1	05/03/2000	The General Hospital Corporation		
	BB	IB-00/23084-A1	04/27/2000	Kil		
	BC	IB-99/42088-A1	08/26/1999	Otogene AG		
	BD	IB-99/06034-A1	02/11/1999	Baylor College of Medicine		
	BE	IB-99/06064-A1	02/11/1999	Amgen Inc.		
	BF	IB-98/19700-A1	05/14/1998	Genentech, Inc.		
	BG	IB-98/00014-A1	01/08/1998	The Regents of the University of California		
	BH	IB-97/17983-A1	05/22/1997	Cambridge Neuroscience, Inc.		
	BI	IB-95/19182-A1	07/20/1995	Baylor College of Medicine		
	BJ	IB-98/13048-A1	04/02/1998	Trustees of the University of Pennsylvania		

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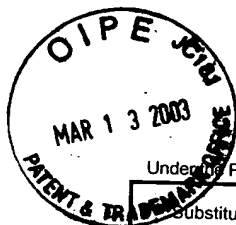
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First Named Inventor	Huda Y. Zoghbi
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	HO-P01899US3

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	CA	Eberl, D. F.; Feeling the vibes: chordotonal mechanisms in insect hearing, Curr Opin Neurobiol 1999 Aug; 9(4):389-393
	CB	Akazawa, C., et al.; A mammalian helix-loop-helix factor structurally related to the product drosophila proneural gene atonal is a positive transcriptional regulator expressed in the developing nervous system, The Journal of Biological Chemistry; 04/14/95, pp. 8730-8738, Vol. 270, No. 15, The American Society of Biochemistry & Molecular Biology, Inc.
	CC	Sun, Y, et al.; Transcriptional regulation of atonal during development of the drosophila peripheral nervous system, Development 125, 1998, pp. 3731-3740, The Company of Biologists Limited, Great Britain
	CD	Jarman, A. P., et al.; Atonal is a proneural gene that directs chordotonal organ formation in the drosophila peripheral nervous system, Cell, 07/02/93, pp. 1307-1321, Vol. 73, Cell Press
	CE	Hassan, B. A., et al.; Doing the math: is the mouse a good model for fly development? Genes & Development, 2000, pp. 1852-1865, Vol. 14, Cold Spring Harbor Laboratory Press
	CF	Hassan, B. A., et al.; Atonal regulates neurite arborization but does not act as a proneural gene in the drosophila brain, Neuron, Mar. 2000, pp. 549-561, Vol. 25, Cell Press
	CG	Ben-Arie, N., et al.; Math 1 is essential for genesis of cerebellar granule neurons, Nature, 11/13/97, pp. 169-172, Vol. 390
	CH	Sabate, O., et al.; Adenovirus for Neurodegenerative diseases: in vivo strategies & ex vivo gene therapy using human neural progenitors, Clinical Neuroscience, 1996, pp. 317-321, Vol. 3, especially p. 317, rt. col., and p. 318, left col.
	CI	Williams, D. P., et al.; Structure/Function analysis of Interleukin-2-toxin (DAB486-IL-2), fragment B Sequences required for the delivery of fragment A to the cytosol of target cells, J. Biol. Chem., 07/15/90, pp. 11885-11887, Vol. 265, No. 20
	CJ	Chien, C-T, et al.; Neuronal type information encoded in the basic-helix-loop-helix domain of proneural genes, Proc. Natl. Acad. Sci. USA, Nov. 1996, pp. 13239-13244, Vol. 93, especially pp. 13239-13240
	CK	Schwarze, S. R., et al.; In vivo protein transduction: delivery of a biologically active protein into the mouse, Science, 09/03/99, pp. 1569-1573, Vol. 285, see entire document
	CL	Verma, I. M., et al.; Gene therapy-promises & prospects, Nature, 09/18/97, pp. 239-242, Vol. 389, see entire document
	CM	Ledley, F. D.; Pharmaceutical approach to somatic gene therapy, Pharmaceutical Research, Nov. 1996, pp. 1595-1614, Vol. 13, No. 11, see entire document
	CN	Chen, P., Johnson, J. E., et al.; The role of Math 1 in inner ear development; Uncoupling the establishment of the sensory primordium from hair cell fate determination, Development, 2002, pp. 2495-2505, Vol. 129
	CO	Kanzaki, S., Kawamoto, K., et al.; From Gene Identification to Gene Therapy, Audiol. Neurotol., 2002, pp. 161-164, Vol. 7
	CP	Kawamoto, K., Oh, S. H., et al.; The Functional and Structural Outcome of Inner Ear Gene Transfer via the Vestibular and Cochlear Fluids in Mice, Molecular Therapy, Vol. 4 (6): 575 - 585, December 2001
	CQ	Zheng, J. L., et al.; Overexpression of Math1 induces robust production of extra hair cells in postnatal rat inner ears; nature Neuroscience, Jun. 2000, pp. 580-586, Vol. 3, No. 6, Nature America Inc.

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First Named Inventor	Huda Y. Zoghbi
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Examiner Name	Not Yet Assigned
Attorney Docket Number	HO-P01899US3

CR	Bermingham, N.A., et al.; Math1: an essential gene for the generation of inner ear hair cells, Science, 06/11/99, pp. 1837-1841, Vol. 284, American Assoc. for the Advancement of Science	
CS	Ben-Arie, N., et al.; Functional conservation of atonal and Math1 in the CNS & PNS, Development, 2000, pp. 1039-1048, Vol. 127, The Company of Biologists Limited, Great Britain	
CT	Ben-Arie, N., et al.; Evolutionary conservation of sequence & expression of the bHLH protein Atonal suggests a conserved role in neurogenesis, Human Molecular Genetics, 1996, pp. 1207-1216, Vol. 5, Oxford Univ. Press	
CU	Jarman, A. P., et al.; Atonal is the proneural gene for Drosophila photoreceptors, Nature, 06/02/94, pp. 398-400, Vol. 369	
CV	Kim, P., et al.; XATH-1, a vertebrate homolog of Drosophila atonal, induces neuronal differentiation within ectodermal progenitors, Developmental Biology, Article D8978572, 1997, pp. 1-12, Vol. 187, Academic Press	
CW	Ben-Arie, N., et al.; Abnormal cerebellar development in mice lacking the murine homolog of the Drosophila proneural gene atonal, American J. Human Genetics, 1996, Vol. 59, N o. 4, Suppl. p. A46, Abstract #232, see abstract	

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